

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CARRIE A. ANDERSON, in her Personal
Capacity and as Personal Representative of the
ESTATE OF KIRK DANIEL POWLESS,
deceased; *et al.*,

Plaintiffs,

v.

WHATCOM COUNTY, a political subdivision
of the State of Washington; *et al.*,

Defendants.

NO. 2:20-cv-01125-TSZ

**STIPULATED MOTION TO FILE
EXHIBIT UNDER SEAL**

THE PARTIES, by and through their respective counsel, jointly move this Court for an Order pursuant to Local Rule 5(g) to seal Exhibit 121 filed in support of Plaintiff's Motion for Summary Judgment. The Parties stipulate and agree as follows:

1. Plaintiff's Motion relies on an exhibit that this Court has designated as "Confidential" under the Stipulated Protective Order issued on September 14, 2020. Dkt # 14. The Parties jointly file this Motion consistent with that Protective Order.

2. Counsel for Plaintiff hereby certifies that on September 14, 2021, he met and conferred with all other Parties via email, to reach agreement on the need to file the document under seal. *See* Exhibit A to the subjoined Declaration of Ryan D. Dreveskracht in Support of Stipulated Motion to File Exhibit Under Seal.

3. Defendant Sally Andrews remains resolute that this document be filed under seal.

See id.

4. In consideration of these communications the Parties therefore stipulate to filing Exhibit 121 under seal and to the filing of the agreed Order below.

5. By so stipulating, neither Plaintiff nor Defendants consent to discovery above or beyond those permitted by the Federal Rules of Civil Procedure or this Court's Local Rules.

Respectfully submitted this 14th day of September, 2021.

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AGREED ORDER

Pursuant to the Stipulation above, the Court hereby orders that Exhibit 121 be filed under seal.

DATED this _____ day of September, 2021.

THOMAS S. ZILLY
United States District Court Judge